



1807 DNA

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SOCKET 67270JLT 10 095

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Lynn Bergmeyer  
Thomas J. Cummins  
John B. Findlay and  
JoAnne Kerschner

DIAGNOSTIC COMPOSITIONS,  
ELEMENTS, METHODS AND TEST  
KITS FOR AMPLIFICATION AND  
DETECTION OF HUMAN CMV DNA  
USING PRIMERS HAVING MATCHED  
MELTING TEMPERATURES

Serial No. 08/062,021

Filed May 14, 1993

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231.

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Name: J. Lanny Tucker  
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Date: *July 21, 1993*

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APPLICATION DIVISION

DISCLOSURE STATEMENT FOR U.S. PATENT AND  
TRADEMARK OFFICE IN COMPLIANCE WITH 37 C.F.R. 1.97-1.99

The patent application identified above cites patents, patent applications and other publications for consideration by the United States Patent and Trademark Office with regard to the claimed invention. In compliance with Rule 56, listed below are the documents which Applicant(s) wish(es) to cite to the Office for consideration. Accompanying each citation is a reference to the page(s) in the application where it is discussed, or if not discussed in the application, a brief mention of its pertinency to the invention is noted with reference to specific teaching in the reference.

By this Notice, Applicant(s) request(s) that the Office make of record each cited document. Unless otherwise indicated, a full text copy of each document is attached. For documents not specifically indicated, an equivalent English language patent or publication is attached in lieu of a translation. If no translation or English language equivalent is available, an English language abstract is presented. No representation is made or intended that a search has been made, or if made, that more pertinent material is not available or should not be considered by the Examiner. It is expected that the Office will conduct independently a complete search of appropriate prior art. Finally, no admission is made that these documents are prior art, and Applicant(s) reserve(s) the right to challenge such a conclusion.

In accordance with Office Notice 998 OG 9 (dated August 15, 1980), also enclosed is a completed form PTO-1449.

The following concise explanations represent Applicant(s)' good faith belief as to the pertinence of the indicated references. These explanations are provided, however, solely as an introduction to the cited references and are not to effect the exercise of the Examiner's independent judgment in searching and considering the art in accordance with M.P.E.P. Section 904, et seq and other applicable laws, rules and procedures.

CITED ART

<u>Reference</u>	<u>Comments</u>
AA	Details regarding PCR; primers described in Examples 1-13;
AB	Details regarding PCR; primers in Examples 1-10;
AC	Similar to References AA and AB; various primers in the examples;
AD	Details regarding thermostable DNA polymerases and use in PCR; primers and probes described in the examples;
AE	Details regarding test devices useful in PCR; capture reagents described in Col. 4 (lines 18-48);
AF	Details of using PCR for AIDS virus detection; primers and probes shown in FIG. 2 and the examples;
AG	Use of PCR for virus detection; primers and probes described in the examples;
AH	See Examples 12-14;
AI	Similar to References AA and AB; primers and probes in the examples;

AJ	Detection of retroviral DNA using PCR; primers and probes shown in the examples;
AL	See pages 4-6 and article description on pages 9-12; and primers and probes in the examples;
AM	See primers and probes used in the examples;
AN	See page 16 and examples therein;
AO	See oligonucleotides on page 4 and pairings on pages 5 and 6; translation not available;
AP	Various primers and probes for PCR of HIV-I DNA listed throughout;
ALL	See various primers and probes throughout;
AMM	See primers and probes on page 9;
AR	See amplification protocol using two sets of primers on page 299;
AS	PCR of HIV-I DNA described on page 219;
AT	See pages 337-340;
ARR	Entire article;
ASS	See primers on page 245;
ATT	See Table 1 (page 2308);
AU	See Table 1 (page 450);
AV	See page 840, "Primers";
AW	See pages 129-131 and page 133 (first paragraph);

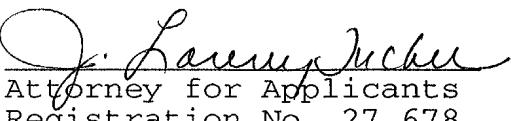
AX                    See Table 1 (page 1178),  
                      paragraph bridging pp.1178-  
                      1179; and first paragraph  
                      on page 1183;

AY                    See Table I (page 86)

AZ                    See Table 1 (page 2622);  
                      and

AUU                  See FIG. 1 (page 1803).

Respectfully submitted,

  
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